PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

nventor:

Guilherme L. INDIG

Serial No.:

09/753,472

Docket No.:

032026:0667

Filed:

January 3, 2001

Group Art Unit: 1614

For:

USE OF CRYSTAL VIOLET AS PHOTOCHEMOTHERAPEUTIC AGENT

DECLARATION UNDER 37 C.F.R. § 1.132 OF GUILHERME L. INDIG

Box Non-Fee Amendment Commissioner for Patents Washington, D.C. 20231

Sir:

- I, Guilherme L. Indig, state and declare that:
- I am an Assistant Professor of Pharmacy at the University of Wisconsin-Madison, located in Madison, Wisconsin.
- I am one of six authors of the paper entitled "EFFECT OF MOLECULAR 2. STRUCTURE ON THE PERFORMANCE OF TRIARYLMETHANE DYES AS THERAPEUTIC AGENTS FOR PHOTOCHEMICAL PURGING OF AUTOLOGOUS BONE MARROW GRAFTS FROM RESIDUAL TUMOR CELLS," published in the Journal of Pharmaceutical Sciences, Vol. 89, No. 1, January 2000. The other authors of the paper are Gregory S. Anderson, Michael G. Nichols, Jeremy A. Bartlett, William S. Mellon and Fritz Sieber.
- 3. I have read the above-identified application for patent and declare that I am the sole inventor of the subject matter claimed therein.

- 4. I conceived and directed the research described in the paper described in paragraph 2 above, and I was the lead investigator of the research.
- 5. The co-authors of the paper described in paragraph 2 above, other than myself, did not make an inventive contribution to the subject matter claimed in the application.
- 6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 15, 2003

By:

Guilherme L. Indig



Journal of Pharmaceutical Sciences

VOLUME 89, NUMBER 1 January 2000

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Research Article

Effect of molecular structure on the performance of triarylmethane dyes as therapeutic agents for photochemical purging of autologous bone marrow grafts from residual tumor cells

Guilherme L. Indig ^{1 *}, Gregory S. Anderson ², Michael G. Nichols ³, Jeremy A. Bartlett ¹, William S. Mellon ¹, Fritz Sieber ^{2 *}

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Abstract

Extensively conjugated cationic molecules with appropriate structural features naturally accumulate into the mitochondria of living cells, a phenomenon typically more prominent in tumor than in normal cells. Because a variety of tumor cells also retain pertinent cationic structures for longer periods of time compared with normal cells, mitochondrial targeting has been proposed as a selective therapeutic strategy of relevance for both chemotherapy and photochemotherapy of neoplastic diseases. Here we report that the triarylmethane dye crystal violet stains cell mitochondria with efficiency and selectivity, and is a promising candidate for photochemotherapy applications. Crystal violet exhibits pronounced phototoxicity toward L1210 leukemia cells but comparatively small toxic effects toward normal hematopoietic cells (murine granulocyte-macrophage progenitors, CFU-GM). On the basis of a comparative examination of chemical, photochemical, and phototoxic properties of crystal violet and other triarylmethane dyes, we have identified interdependencies between molecular structure, and selective phototoxicity toward tumor cells. These structure-activity relationships represent useful guidelines for the development of novel purging protocols to promote selective elimination of residual tumor cells from autologous bone marrow grafts with minimum toxicity to normal hematopoietic stem cells. © 2000 Wiley-Liss, Inc. and the American Pharmaceutical Association J Pharm Sci 89: 88-99, 2000

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February 13, 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

nventor:

Guilherme L. INDIG

Docket No:

032026:0769

Serial No:

10/751, 302

FAX: 608.258.4258

Field:

December 31, 2003

For:

USE OF CRYSTAL VIOLET AS PHOTOCHEMOTHERAPEUTIC AGENT

DECLERATION UNDER 37 C.F.R. § 1.132 OF S.G. PANDALAI

Mail Stop NON-FEE AMENDMENT Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

I.S.G. Pandalai, state and declare that:

- 1. I am the Managing Editor of Transworld Research Network, publishers of the book, Recent Research and Development in Pure & Applied Chemistry, Vol.3(1999). An article entitled "Mechanisms of Action of Cationic Dyes in Photodynamic Therapy of Tumors," authored by Guilherme L. Indig appears on pages 9 through 19 of the book.
 - 2. Although the book Recent Research and Development in Pure & Applied Chemistry, Vol.3 (1999) bears a publication year of 1999, it was actually first published in March of 2000.
 - 3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 13th February, 2004

*This declaration is submitted as per the request of Dr. Michelle Manning

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Public Health Service JEROME D. GOLDBERG EXAMINER

GROUP ART UNIT 125

AN INDEX OF TUMOR CHEMOTHERAPY

A tabulated compilation of data from the literature on clinical and experimental investigations

remain always in the infancy of knowledge.--'' Cicero JERONE D. GOLDBERG EXAMINER GROUP ART UNIT 125

"If no use is made of the labors of past ages, the world must

By HELEN M. DYER, Biochemist National Institutes of Health National Cancer Institute

AUG 13 1951

NOTES TO TABULATED INDEX

Column 1 - No. -- The numbers correspond to the numbers that follow the names of the agents in the alphabetical index.

Column 2 - Agent -- No attempt has been made to use a betical imdex of agents contains cross references between some of the mames used in the classified index and the names consistent system of nomenclature for the chemical agents. Most frequently, the terminology employed in the original papers has been retained in the classified index. The alphaof the agents according to the nomenclature of Chemical Abstracts.

Optional names for some of the agents are given in parentheses and are in italics. Trade names of agents, when used, are found within parentheses in quotation marks.

They are in-Agents used for supplementary treatment are also included in parentheses but are not italicized. cluded in the alphabetical index. To save space chemical symbols of chemical elements have emphasis was made of the specific substances that contained the elements. Such symbols are not meant to indicate that elementary ions were administered as such. Chemical formulas been used for supplementary therapeutic agents when no special of compounds have been used, where feasible, for simple inorganic supplementary agents. Gas treatment refers to supplementary exposure of the tumor-bearing host to mixtures of carbon dioxide and oxygen.

Column 6 - Dosage--Dosage is expressed as milligrams except where otherwise indicated.

Column 7 - Number of Treatments -- Numbers in parentheses following daily, weekly, etc. refer to total number of treatments. Columns 9 and 10 - Effect Claimed -- In these columns the numbers refer to the numbers of hosts showing the effect.

abbreviations	
and	
symbols	
m 9 - Effect on Tumor The column are as follows:	
Colum this c	
for t	:

	E	Colimn to Differ II . II
	temp	hemor hemmorhage in tumor
stimulation of tumo	stim	of tumor C cure
H complete regression	: ::	(+) diminution in size
nec necrosis in tumo	nec	(±) growth of tumor in-

abbreviatione		l of treated
The symbols and		S> survival of treated
Column 10 - Effect on Host The symbols and abbreviations	r this column are as follows:	(±) slight subjective
	tor	\oplus

S> survival of treated animals for longer	period of time than controls	lox agent said to have toxic effects upon
improvement in host	of pain	<pre>tive improvement tive improvement</pre>

responds to the number found to the left of the reference in Column 11 - Reference Number -- The reference number corthe bibliography.

host

ABBREVIATIONS

car.	chond.		deriv.	div.
ac. acute adcar. adenocarcinoma	ant. adenoma	Bash. Bashford	B. F. Brown-Pearce Buf. Buffalo	bzp benzpyrene can. cancer

				,	,			
ca ca cholanthrana	chond chondroma	Cr chronic	dbza Crocker	deriv. dlDenzanthracene	dil.	div. dilute	dmaabz	dimetnylaminoazobenzene

Ehr Ehrlich	Ehrlich ma mammary
•••••••••••	esophagus melmelanoma
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Incravenous, occasionally su	Teut Teutsc
<u> </u>	T.Dt
	tr transplant, transplantation
	tr. tar-ind
	treat.
	VBG
	tum.
TROOT	
oquina	
lymph.	
	water Walker

Colons have been used to avoid repetition of words where several types of tumors have been employed in a test. Thus, Tr.: car., sar. indicates transplanted carcinoma and transplanted sarcoma. The same is true, when for other reasons, colons or semicolons are used between car. and sar. following the Tr.: Except where man is the host (in which case all the tumors are spontaneous) tr.:, when followed by a colon carries over until ind. or sp. appear. The same is true for ind.: or

Commas have been used to separate varied experimental conditions in a single test (as different types of tumors and/ or kinds of hosts, dosage, routes of administration) where no significant difference was reported in the therapeutic effect of the agent relating specifically to the varied conditions.

Semicolons have been used to relate varied experimental conditions in different columns where the conditions were considered to be of significance.

Example 1: Under agent No. 1 in the table both spontaneous and transplanted carcinomas of the mouse showed an inhibiting effect of the agent. When administered in the drinking water diminution (+) in the size of tumors and regressions, R, were reported; when administered subcutaneously only an inhibiting effect (+) was reported.

Example 2: Under agent No. 13 no distinction was made in dosage, number of treatments or routes of administration, but the effect on the tumors was reported as negative for the transplanted carcinoma, negative for the transplanted sarcoma, positive for the induced-tar papilloma and negative for the induced-tar papilloma.

Example 3: Under agent No. 25 the therapeutic effect was the same for spontaneous or transplanted carcinomas of the mouse, for spontaneous carcinomas of the dog and for transplanted sarcomas of the rat, but the agent was more effective (+) when administered intravenously than when given subcutaneously (\pm).

Sometimes a semicolon is found in the supplementary treatment (within parentheses) under agent, when this experimental condition has been shown to have a significant influence on the effect of therapy.

Example 4: Colloidal lead (without; with irradiation), and in the Effect Claimed columns (-); (+) indicates that colloidal lead was found to be ineffective when administered alone but beneficial when given with irradiation.

REFERENCE		ER DATE	905	1927	1946	1931		1947	1927	68	1947	1947	1931	1930	1926	1947	1947	1927	1942	1927	1947		1927	1948	1927	1661	1927	. [
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	AGENT		Trypan red (C.I. No.438:disazo)		Unclassified azo dyes (17 samples)	Vital new red("Grübler") Vital red (C.I. No.456:disazo)	(2). OTHER MISC	Ahco 26-47 (1,4-diaminoanthraquinone)	rizarin red S (C.I.No. 1034; anthraquinone dye)	Anthraquinone dyes (61 samples)	(vat, 57 samples) ,1,4,5,8-tetramine-(AQD-24!)	,	3492 Naphthol green B (C.I.No.5.nitroso dye)	Naphthol yellow (C.I.No.g:nitroso dye)	Nitro dyes (4 samples)	Primuline (C.I.No.812;thiazole dye)	Quinoline dyes (5 samples) Quinoline yellow (C.I.No.801)	3500 " " " 3501 Soledon blue (anthraouinone dve)	Sulfur dyes (11 samples)	pyrazolon dye)	Thiazole dyes (10 samples) Thioaniline dye		3506 Alkali blue (C.1.No.710:similar or identical to significations of isomore blue)	No first throught and the	in)	blue 6B,8B)	COUNTY DO TO THE STATE OF THE STATE OF	Crystal violet
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*	TYPE OF TUMOR			Tr.car.2146	Sp.ma.car.	= =====================================	= :	r.:car.;sar.	Tr.:car.2146;Cr.sar.180	Misc. car.	Epithel.	op. ma. car.	===	Ind. (tar)car.	Tr. isunoda sar.	1.car.z140		Sp.ma.car.	Tr. car. 2146		,	Ė	Sp.ma.car.	. rectal			Car., skin		sar.	Misc.car.	=	Epithel.			=	=	=		sar.	Ind. (tar)car.	
	AGENT		Crystal violet	.c.)	•	Ethyl violet (C 7 No 602)	inotribbenyl_corbinol	anhydride)		" (amaranth, dahlia etc.)	=	ubine S)	(neutra))	(BC)D	(basic: # heparin)		Gentian violet (see also crystal violet)			I.No.710 is 68 or 88: with .075	gm neosalvarsan)	(GB)		•	" " Sometimes other medication)	and PbS)	Containing 2% glycerine)		=	rrad.:± Pbt ₂ in sodium	y irrad.)	ed by glycerine)			FeSO.(NH) SO	((4 nd das treat.) "			" " (medicinal, with Bi)	In [In Ca	
	, ON				3517				3521		3524	3525	3526	3528	3529 -		3530 6			3533	3534	-	3536	3537	3539	3540	5541	3542	3543	3544	3545	246 :-	3547	3548	. .	3550			3554		
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